

## **REMARKS/ARGUMENTS**

The undersigned greatly appreciates the courtesies extended by Examiner Yvonne Abbott during the personal interview with the Applicant, Mr. Van Brown, on October 21, 2004. A proposed claim amendment reciting "*multiple layers of dried and shaped pork skin*" was presented and discussed during the interview. Applicant distinguished the proposed amended claim from the prior art cited—namely, Perlberg '693, Fisher '635, and Sherrill '938. It was agreed that the proposed claim appeared to overcome this prior art.

Claims 1-18 in the case are pending. Claims 7 and 16 have been objected to because of minor informalities. Claim 13 is objected to under 37 CFR 1.75(c), as being in improper dependent form. Claims 9, 10, and 11-18 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 1-8 have been rejected under 35 U.S.C. §102(b) as being anticipated by Fisher (4,260,635). Claims 1 and 8 have been rejected under 35 U.S.C. §102(e) as being anticipated by Sherrill et al. (6,584,938). Claims 1, 2, and 6 have been rejected under 35 U.S.C. §102(e) as being anticipated by Perlberg et al. (6,223,693). Claims 4, 5, 9 and 10 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Fisher. Claims 3, 7 and 11-15 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Perlberg et al. Claim 16 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Perlberg et al. in view of Anderson et al. (6,277,420). Claims 17 and 18 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Perlberg et al. in view of Sherrill et al. Claim 9 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Sherrill et al.

With respect to the Priority Claim, Applicant has attached (Exhibit A) a copy of the Application Data Sheet (ADS) which was filed together with the present application. All necessary priority information was included in the last paragraph of the ADS.

With regard to the claim objections, the word "favor" in Claims 7 and 16 has been changed to "flavor". Claim 13 is cancelled herein, and the dependency of Claim 14 changed to Claim 11.

With regard to the rejection under §112, Applicant has amended Claims 9 and 11 to clarify the recited ratio. Amended Claim 9 now states "*the weight ratio of said jerky to said outer shell is between 5 and 15 percent jerky to between 85 and 95 percent outer shell.*" Amended Claim 11 now states "*the weight ratio of said meat product to said outer shell being between 5 and 15 percent meat product to between 85 and 95 percent outer shell.*"

With regard to the claim rejections under §§102 and 103, Applicant respectfully submits that neither Fisher '635, Sherrill '938, nor Perlberg '693 discloses each of the elements and limitations recited in amended base Claims 1 and 11. Specifically, no reference describes a pet chew toy including *multiple layers of dried and shaped pork skin*. Likewise, neither of the references, either alone or in combination, teaches or suggests a chew toy as now claimed.

As noted in the present application, a layered *pork skin* product offers several important advantages and improvements over traditional rawhide chew toys. Namely, Applicant's pork skin product (a) has a non-greasy touch to the consumer; (b) provides a better media surface for adhering coatings; (c) results in less fat consumed by the pet; (d) offers a better media for absorbing other flavors; (e) provides a tougher chew media for the pet; and (f) allows easier forming and adherence of pressure formed chew toys. See, Specification at ¶45.

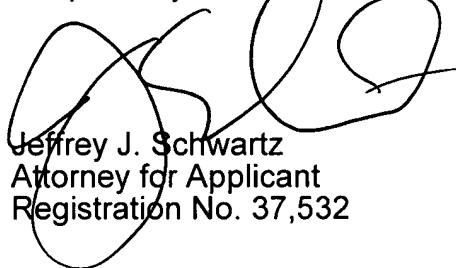
Additionally, the primary means for de-hairing pork skin generally involves only hot water and mechanical shearing—a relatively simple process which leaves no unpleasant aftertastes. Id. On the other hand, for other animal hides, such as bovine, harsh and bitter chemicals are typically required in the de-fatting and de-hairing processes. This often results in a tasteless and even bitter chew media. Id.

No prior patent cited describes a chew toy which comprises one or multiple layers of *pork skin*. In Fisher '635, the chew product is formed from "*shredded*" animal hide. Sherrill '938 describes a dog bone with *rawhide bits* combined with an adhesive binder and

formed into the desired shape. Col. 7, Ins. 1-2. Perlberg '693 describes a *soft rawhide product* soaked in a humectant for increased moisture content. The humectant is intended to keep the product soft and moist even after it is permitted to dry. Col. 2, Ins. 13-17. This teaching in Perlberg '693 goes *directly against* that of the present invention. The claimed outer shell of the present chew toy is "*relatively hard and tough*." No other art of record describes a chew product which is formed of one or more layers of animal skin, and which realizes the important advantages and improvements of whole pork skin over other more traditional skins.

For all these reasons discussed above, Applicant submits that all of the claims in the case are now in condition for allowance. Such action is therefore respectfully requested at an early date. If the Examiner believes that issues remain for discussion, she is invited to contact the undersigned at the telephone number indicated below.

Respectfully submitted,



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